

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

PAUL HICKS

CRIMINAL NO. 05-10204-GAO

JOINT MEMORANDUM PURSUANT TO L.R. 116.5(C)

Pursuant to Local Rule 116.5(C), the United States and the defendant, Paul Hicks, (collectively, the “parties”) state as follows:

- (1) There are no outstanding discovery issues.
- (2) The parties do not anticipate any additional discovery at this time.
- (3) The defendant does not intend to raise a defense of insanity or public authority.
- (4) The defendant will not raise an alibi defense.
- (5) The defendant intends to file a motion to suppress on or before March 6, 2006; the
ment will file an opposition within three weeks of the filing of the defendant's motion.

(6) A hearing on the defendant's motion to suppress should be scheduled by the District Court.

(7) The parties have discussed the possibility of an early resolution of the case without trial and it appears that such resolution is unlikely.

(8) The parties agree that the Court has correctly excluded the period from August 16, 2005 to September 26, 2005 (See Docket Entry dated 9/26/05); the period from September 26, 2005 to November 15, 2005 (See Docket Entry dated 11/9/05); the period from November 15, 2005 to January 3, 2006 (See Docket Entry dated 11/17/05); and the period from January 3, 2006 to February 13, 2006 (See Docket Entry dated 1/3/06). Thus, since August 10, 2005, the date on

which the Indictment was filed, five nonexcludable days – August 11, 2005 through August 15, 2005 – have elapsed and sixty-five (65) days remain so as commence trial within the period mandated by the Speedy Trial Act.

(9) The parties anticipate that trial will last approximately one week.

Respectfully submitted,

PAUL HICKS
By his Attorney

/s/ Joseph Krowski, Jr.

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